UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS AMARILLO DIVISION

RONNY L. JACKSON, et al.	:	
V.	Plaintiffs,)) Case No. 2:22-cv-00241-Z
JOSEPH R. BIDEN, JR et al.	:))
	Defendants.	<i>)</i>))

DEFENDANTS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE ANSWER

Defendants, by and through undersigned counsel, hereby move for a 60-day extension of time to file their Answer. For the reasons set forth below, good cause exists for granting this motion.

On February 2, 2024, this Court entered a decision granting-in-part and denying-in-part Defendants' Motion to Dismiss. *See* ECF No. 38. Accordingly, Defendants' Answer to Plaintiffs' Complaint is currently due on February 16, 2024. *See* Fed. R. Civ. P. 12(a)(4)(A) (responsive pleading due 14 days after court denies a motion to dismiss).

Plaintiffs' counsel have informed counsel for Defendants that Plaintiffs are contemplating the filing of an Amended Complaint. The filing of an Amended Complaint would require either Defendants' written consent or the Court's leave. *See* Fed R. Civ. P. 15(a)(2). Plaintiffs' counsel have indicated that they will not be in position to provide Defendants' counsel with the proposed Amended Complaint to review until early March. Extending Defendants' Answer deadline by 60 days, until April 16, 2024, will allow sufficient time for Plaintiffs to prepare their proposed Amended Complaint and for Defendants to evaluate it in order to determine whether they will consent to or oppose amendment. Without the extension, Defendants would need to expend resources answering a complaint that may be superseded by an amended complaint.

Counsel for Defendants hereby certify that they have conferred with counsel for Plaintiffs regarding this motion. Plaintiffs do not oppose the motion.

Dated: February 12, 2024 Respectfully submitted,

BRIAN M. BOYNTON Principal Deputy Assistant Attorney General

ALEXANDER K. HAAS Director

BRAD P. ROSENBERG Special Counsel

DIANE KELLEHER Assistant Director

/s/ Samuel Rebo
SAMUEL REBO (DC Bar # 1780665)
Trial Attorney
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
(202) 514-4682
brad.rosenberg@usdoj.gov
samuel.a.rebo@usdoj.gov
Counsel for Defendants

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS AMARILLO DIVISION

RONNY L. JACKSON, et al.)	
v. JOSEPH R. BIDEN, JR <i>et al.</i>	Plaintiffs,))))	Case No. 2:22-cv-00241-Z
	Defendants.)))	

[PROPOSED] ORDER

Defendants have moved for a 60-day extension of time to file an Answer to Plaintiffs' Complaint. That Answer is currently due on February 16, 2024. For good cause shown, including to allow the parties to confer regarding a potential Amended Complaint, Defendants' motion shall be, and hereby is, GRANTED. Defendants' Answer to Plaintiffs' Complaint is now due on April 16, 2024. IT IS SO ORDERED.

Matthew J. Kacsmaryk	
United States District Judge	
Date	

Case 2:22-cv-00241-Z Document 39 Filed 02/12/24 Page 4 of 4 PageID 416

CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2024, I electronically filed this motion with the Clerk of

the Court for the United States District Court for the Northern District of Texas by using the

CM/ECF system. Counsel in the case are registered CM/ECF users and service will be accomplished

by the CM/ECF system.

/s/ Samuel Rebo

SAMUEL REBO

U.S. Department of Justice